

REMARKS

The Applicants note that all amendments of Claims presented herein are made without acquiescing to any of the Examiner's arguments or rejections, and solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals (PBG),¹ and without waiving the right to prosecute the amended Claims (or similar Claims) in the future.

The Examiner has rejected Claims 24-27, 29, 36 and 95 under 112, first paragraph, as allegedly lacking enablement (Final Office Action, pg. 2). In particular, the Examiner indicates that the specification is not enabling for the detection of HIP1 in any sample. The Applicants respectfully disagree with the rejection. Nonetheless, in order to further the business interests of the Applicants and while reserving the right to prosecute the original (or similar) claims in the future, the Applicants have amended Claim 24 to include the element of detection of HIP1 expression in a biopsy tissue sample. As stated by the Examiner (Final Office Action, pg. 3), the specification is enabling for such a claim. Accordingly, the Applicants submit that the presently claimed invention is enabled and respectfully request that the rejection be withdrawn.

CONCLUSION

If a telephone interview would aid in the prosecution of this application, the Examiner is encouraged to call the undersigned collect at (618) 218-6900.

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¹ 65 Fed. Reg. 54603 (Sept. 8, 2000).